

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

GABRIELA VLADY NITU

CIVIL NO. 03-5566 (MJD/JSM)

Plaintiff,

v.

ORDER

NICOLAC TENEA,

Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated May 31, 2005. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY RECOMMENDED that the above matter be dismissed without prejudice for lack of subject matter jurisdiction.

Dated: August 19, 2005

s/ Michael J. Davis _____
MICHAEL J. DAVIS
United States District Court Judge